

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 28, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ISMAEL CANTU, SR.,

Plaintiff,

v.

YAKIMA COUNTY JAIL MEDICAL  
DEPARTMENT and JAIL  
ADMINISTRATION,  
Defendant.

1:21-CV-03118-SAB

**ORDER OF DISMISSAL**

On October 19, 2021, the Court directed *pro se* Plaintiff Ismael Cantu, Sr., to comply with filing fee requirements. ECF No. 7. Plaintiff filed this action on September 16, 2021, while a pretrial detainee at the Yakima County Jail. ECF No. 1. He was subsequently released from incarceration. *See Cantu v. Deleon*, 1:21-cv-03101-SAB, ECF Nos. 7, 10.

Mail addressed to Plaintiff at the Yakima County Jail, the last address he provided, was returned as undeliverable on October 26, 2021. ECF No. 8. Although informed of the requirement to keep the Court apprised of his current address, ECF No. 3, Plaintiff has failed to do so.

**ORDER OF DISMISSAL -- 1**

1 The Court may dismiss an action if mail directed to a *pro se* plaintiff has  
2 been returned by the Postal Service and the plaintiff fails to notify the Court and  
3 opposing parties within sixty days thereafter of his current mailing address. LCivR  
4 41(b)(2), Local Civil Rules for the Eastern District of Washington.

5 The Court has an interest in managing its docket and in the prompt  
6 resolution of civil matters. *See Destfino v. Reiswig*, 630 F.3d 952, 959 (9th Cir.  
7 2011) (affirming district court's inherent power to control its docket); *see also*  
8 *Pagtalunan v. Galaza*, 291 F.3d 639, 642–44 (9th Cir. 2002) (discussing factors to  
9 consider in dismissing claim for failure to prosecute or failure to comply with court  
10 order, including the public's interest in expeditious resolution, the court's need to  
11 manage docket, and the risk of prejudice to defendants).

12 Accordingly, **IT IS HEREBY ORDERED:**

13 1. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to  
14 LCivR 41(b)(2).

15 2. The Clerk of Court is directed to **ENTER JUDGMENT** and **CLOSE**  
16 this file.

17 3. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal  
18 of this Order could not be taken in good faith and would lack an arguable basis in  
19 law or fact.

20 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order  
21 and forward a copy to Plaintiff at his last known address.

22 **DATED** this 28th day of December 2021.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

Stanley A. Bastian  
Chief United States District Judge